

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

219 ASSORTED FIREARMS,

Defendants.

NO.

NOTICE OF VERIFIED COMPLAINT  
FOR FORFEITURE IN REM

David Devenny  
C/O James L. Vonasch  
James L. Vonasch, Attorney at Law  
Maynard Building, Suite 200  
119 First Avenue South  
Seattle, Washington 98104

David Devenny  
9610 Old Highway 99  
Olympia, Washington 98501

Ken Gussoni  
C/O Legrand Jones  
The Evergreen Law Group, P.S.  
203 4<sup>th</sup> Ave. E., Ste. 204  
Olympia, Washington 98501

Ken Gussoni  
140 Broad Street S.  
Bremerton, Washington 98312

Roy Alloway  
9468 Phillips Road SE  
Port Orchard, Washington 98367

1 A civil complaint seeking forfeiture pursuant to Title 18, United States Code,  
2 Section 924(d)(1), alleging that the defendant firearms were involved in a knowing  
3 violation of Unlawful Dealing in Firearms, in violation of Title 18, United States Code,  
4 Section 922(a)(1)(A), was filed on April 29, 2011. Said civil complaint was filed in the  
5 United States District Court for the Western District of Washington, by Assistant  
6 United States Attorney Francis Franze-Nakamura, on behalf of the United States of  
7 America, Plaintiff, against the above-captioned defendant property. The complaint  
8 alleges that the defendant property may, for the causes stated in the complaint, be  
9 forfeited to the United States.

10 In order to avoid forfeiture of the defendant currency, any person claiming an  
11 interest in the defendant currency must file a statement of interest or right in the manner  
12 set forth in Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and  
13 Asset Forfeiture Actions, Federal Rules of Civil Procedure, except that such claim must  
14 be filed not later than 35 days after the date of service of the complaint or, as applicable,  
15 not later than 60 days after the first day of publication of notice of the filing of the  
16 complaint on an official internet government forfeiture site (currently  
17 [www.forfeiture.gov](http://www.forfeiture.gov)). In addition, any person having filed such a claim shall also file an  
18 answer to the complaint not later than 21 days after the filing of the claim.

19 Supplemental Rule G(5)(a) provides in pertinent part: “(i) A person who asserts an  
20 interest in the defendant property may contest the forfeiture by filing a claim in the court  
21 where the action is pending. The claim must: (A) identify the specific property claimed;  
22 (B) identify the claimant and state the claimant’s interest in the property; (C) be signed by  
23 the claimant under penalty of perjury; and (D) be served on the government attorney....”  
24 Supplemental Rule G(5)(b) continues: “A claimant must serve and file an answer to the  
25 complaint or a motion under Rule 12 within 21 days after filing the claim.”

26 Claims should be filed with the Office of the Clerk, United States District Court  
27 for the Western District of Washington, 700 Stewart Street, Lobby Level, Seattle,  
28 Washington, 98101, and a copy should be served on the United States Attorney’s Office,

1 Attention: Francis Franze-Nakamura, Asset Forfeiture Unit, 700 Stewart Street,  
2 Suite 5220, Seattle, Washington 98101-1271.

3 Additional procedures and regulations regarding this forfeiture action are found at  
4 Title 18, United States Code, Section 983.

5 DATED this 29<sup>th</sup> day of April, 2011.

6 Respectfully submitted,

7 JENNY A. DURKAN  
8 United States Attorney

9 s/ Francis Franze-Nakamura  
10 FRANCIS FRANZE-NAKAMURA  
11 Assistant United States Attorney  
12 700 Stewart Street, Suite 5220  
13 Seattle, WA 98101  
14 Telephone: (206) 553-2242  
15 Fax: (206) 553-6934  
16 [Francis.Franze-Nakamura@usdoj.gov](mailto:Francis.Franze-Nakamura@usdoj.gov)  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28